

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	ED CV 13-2296-CBM (SPx)	Date	July 17, 2014
Title	Jessica Hernandez v. Bruce Simpson, et al.		

Present: The Honorable Sheri Pym, United States Magistrate Judge		
Kimberly Carter	None	None
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiff:		Attorneys Present for Defendant:
None Present		None Present

Proceedings: (In Chambers) Order to Show Cause Why Motion Should Not Be Denied for Failure to Comply with Local Rule 37

On July 16, 2014, defendant Bruce Simpson filed a Motion for Order for Defense Psychiatric Examination of Plaintiff Jessica Hernandez (docket no. 24). Although the motion was brought under Fed. R. Civ. P. 35, it was not filed in the form of a joint stipulation as required for all discovery motions by Local Rule 37-2. Further, the motion was not accompanied by a declaration establishing that opposing counsel failed to confer or cooperate in the preparation of a joint stipulation; the declaration simply described the meet and confer efforts that failed to achieve a stipulation that would have obviated the need for a motion. Thus it appears that under Local Rule 37-4, the court should not consider the motion and instead deny it without prejudice.

Accordingly, defendant is hereby ordered to show cause, on or before July 24, 2014, why the Motion for Order for Defense Psychiatric Examination should not be denied for failure to comply with Local Rule 37. If defendant withdraws the motion on or before July 24, 2014, the order to show cause will be discharged.